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TO: EXAMINER Helen Shibru

EXAMINER'S TELEPHONE NUMBER 571-272-7329

ART UNIT 2616

SERIAL NO. 09/866,439

FROM: Edward W. Goodman

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Enclosed: R111 Response + Cover

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Edward W. Goodman

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Atty. Docket

EDWIN A. MONTIE ET AL.

PHNL 000307

Serial No.: 09/866,439

Group Art Unit: 2616

Filed: May 25, 2001

Examiner: H. Shibru

Title: METHOD OF AN APPARATUS FOR ALLOCATING RECORDING SPACE  
ON A RECORDING MEDIUMCommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed is an amendment in the above-identified application.

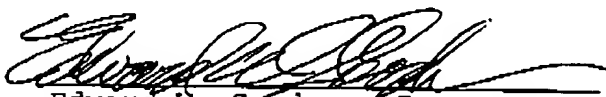
[ X ] No additional fee is required.

[ ] The fee has been calculated as shown below.

CLAIMS AS AMENDED					
	Claims remaining after amendment	Highest number previously paid for	Number extra	Rate	Additional Fee
Total Claims	19 Minus 20 <sup>1</sup> =		X \$50 =		\$
Independent Claims	2 Minus 3 <sup>2</sup> =		X \$200 =		\$
Multiple Dependent Claims, if any. If not previously paid, \$360.					\$
Total Additional fee for this amendment				=	\$

<sup>1</sup>If less than 20, enter 20. <sup>2</sup>If less than 3, enter 3.

Please charge any fees which may be required, except the issue fee, or credit any overpayment to Deposit Account No. 14-1270.

  
Edward W. Goodman, Reg. 28,613  
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

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EDWIN A. MONTIE ET AL.

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SERIAL NO.: 09/866,439

GROUP ART UNIT: 2616

FILED: May 25, 2001

EXAMINER: H. Shibru

METHOD OF AND APPARATUS FOR ALLOCATING RECORDING SPACE ON A  
RECORDING MEDIUMCommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

RESPONSE UNDER 37 C.F.R. 1.111

This is in response to the Office Action mailed February 9, 2006, in which the Examiner has rejected claims 1-19 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,107,481 to Miki et al.; and claims 1 and 10 under 35 U.S.C. 102(b) as being anticipated by European Patent Application No. EP0932159A2 to Suzuki et al.

Applicants traverse the above rejections and offer the following explanation.

The Miki et al. patent discloses a recording area management system for writable type optical disks. The Examiner has indicated:

"Miki discloses a method of allocating recording space on a recording medium (see optical disk (102) in fig. 1

PHNL000307-AMT-041506

1

and col. 4, lines 47-50) for recording an entry of predetermined length, the recording medium having an associated displayed directory listing blocks specifying free space and previously recorded entries",

"determining with the aid of the displayed directory, consecutive blocks of said listed blocks necessary for recording at least the entry of predetermined length, starting from the start position (see col. 5 lines 11-64 and fig. 2)",

"displaying the directory (see col. 4 line 65-col. 5, line 5)",

and

"indicating the determined consecutive blocks necessary for recording at least the entry of predetermined length in the displayed directory (see col. 5 line 25-col. 7 line 44)".

Applicants submit that the Examiner is mistaken. In particular, while the Examiner has assumed that Miki et al. discloses displaying a directory, in fact, there is no disclosure of such in Miki et al. In fact, the term "display" does not even occur in Miki et al. Further, the section of Miki et al. which the Examiner indicates as disclosing "displaying the directory" actually states:

"Reference numeral 111 denotes area managing means for managing the management information 102 in the optical disk 101. In general, if the management information 102 is read out of the optical disk 101 each time it is referred to, the processing speed decreases. Therefore, in many cases, the management information 102 is buffered into a high speed storage medium such as a memory or the like and is referred to therein."

It should be apparent from the above that Miki et al. neither discloses nor suggests displaying anything, much less a directory.

The Suzuki et al. patent discloses an information recording apparatus which, during the recording of an information signal onto a recording medium, allows the user to display a directory of previously recorded programs and enables highlighting of a selected program.

The Examiner has indicated that Suzuki et al. discloses each of the claim 1 limitations, and, in particular, "indicating the determined consecutive blocks necessary for recording at least the entry of predetermined length in the displayed directory (see fig. 2 and 4, claims 1 and 6, and paragraph 0070-0072."

Applicants submit that the Examiner is mistaken. In particular, the only portion of Suzuki et al. dealing with displaying information is paragraphs [0070]-[0074]. This portion of Suzuki et al. merely relates to the selective highlighting of a previously recorded program in a directory of previously recorded programs ("a program list or table of the programs, which had been recorded in advance other than the record signal Sr which has been just recorded...is displayed as the display information signal S4 on an external monitor", col. 12, lines 21-27) in order for that program to be erased. After the process of erasing the undesired program is completed, "the operation of displaying the program list on the monitor is canceled" (col. 13, lines 20-22).


Applicants submit that Suzuki et al. neither discloses nor suggests "determining, with the aid of the displayed directory,

consecutive blocks of said listed blocks necessary for recording at least the entry of predetermined length, starting from the start position" or "indicating the determined consecutive blocks necessary for recording at least the entry of predetermined length in the displayed directory", as specifically claimed in claim 1.

In view of the above, Applicants believe that the subject invention, as claimed, is neither anticipated nor rendered obvious by the prior art, and as such, is patentable thereover.

Applicants believe that this application, containing claims 1-19, is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

by   
Edward W. Goodman, Reg. 28,613  
Attorney  
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